

PATENT APPLICATION  
Docket No.: 20335-00165

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declarant: Vivian H. LIU  
Application Number : 10/806,072  
Filing Date : March 22, 2004  
Title : COMPOSITIONS AND METHODS FOR TREATMENT OF  
PREMATURE EJACULATION  
Attorney Docket No. : 20335-00165  
Examiner : U. RAMACHANDRAN  
Group Art Unit : 1617 Confirmation No : 1395

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## DECLARATION OF VIVIAN H. LIU UNDER 37 C.F.R. §1.132

I, Vivian H. Liu, hereby declare and state that:

1. I am President and Chief Executive Officer of NexMed, Inc., 89 Twin Rivers Drive, East Windsor, NJ 08520, a Nevada corporation.
2. NexMed Holdings, Inc., a Delaware corporation, is a wholly owned subsidiary of NexMed, Inc.
3. NexMed Holdings, Inc. has been designated as NexMed (Holdings), Inc. in some documents. Each designates one and the same company.
4. I am authorized to act on behalf of NexMed Holdings, Inc.
5. U.S. patent application no. 10/336,481, filed January 3, 2003 (U.S. Patent Publication No US2004/0131664, now U.S. Patent 6,841,574, issued January 11, 2005), naming inventors Joseph Y. Mo and Daniel W. Frank was assigned from the inventors of the patent application to NexMed Holdings, Inc. by virtue of assignment documents recorded in the United States Patent and Trademark Office at Reel/Frame: 014219/0747 on July 1, 2003.
6. U.S. patent application no. 10/367,109, filed February 14, 2003 (U.S. Patent Publication No US2003/0220292), naming inventors Koichi Okada, James L. Yeager, Nadir Buyuktimkin, and Servet Buyuktimkin, was assigned from the inventors of the patent application to NexMed (Holdings), Inc. by virtue of assignment documents recorded in the United States Patent and Trademark Office at Reel/Frame: 014308/0709 on July 24, 2003.

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7. U.S. patent application no. 10/806,072, filed March 22, 2004 (U.S. Patent Publication No US2004/0241245), naming inventors Mingqi Lu, Qin Wang, James L. Yeager, and Joseph Y. Mo, was assigned from the inventors of the patent application to NexMed (Holdings), Inc. by virtue of assignment documents recorded in the United States Patent and Trademark Office at Reel/Frame 015598/0576 on July 26, 2004.

8. NexMed Holdings, Inc. is the assignee of the entire right, title and interest of:  
U.S.S.N. 10/336,481, filed January 3, 2003 (U.S. Patent Publication No US2004/0131664, now U.S. Patent 6,841,574, issued January 11, 2005);  
U.S.S.N. 10/367,109, filed February 14, 2003 (U.S. Patent Publication No US2003/0220292);  
and  
U.S.S.N. 10/806,072, filed March 22, 2004 (U.S. Patent Publication No US2004/0241245).

9. At the time the invention of U.S. patent application no. 10/806,072, filed March 22, 2004, was made, the instant invention and U.S. patent application no. 10/336,481, filed January 3, 2003 (U.S. Patent Publication No US2004/0131664, now U.S. Patent 6,841,574, issued January 11, 2005) were owned by or subject to an assignment obligation to NexMed Holdings, Inc.

10. At the time the invention of U.S. patent application no. 10/806,072, filed March 22, 2004, was made, the instant invention and U.S. patent application no. 10/367,109, filed February 14, 2003 (U.S. Patent Publication No US2003/0220292) were owned by or subject to an assignment obligation to NexMed Holdings, Inc.

11. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Respectfully Submitted,

Date: 12/21/07  
Vivian H. Liu